

INTERNATIONAL PRELIMINARY EXAMINATION REPORT  
(PCT Article 36 and Rule 70)

REC'D 18 FEB 2005



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Applicant's or agent's file reference P13103	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/11588	International filing date (day/month/year) 20.10.2003	Priority date (day/month/year) 22.10.2002
International Patent Classification (IPC) or both national classification and IPC H04M1/05		
Applicant SONY ERICSSON MOBILE COMMUNICATIONS AB et al		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.  
  
☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of 3 sheets.

- This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☒ Certain defects in the international application
  - VIII ☒ Certain observations on the international application

Date of submission of the demand  18.05.2004	Date of completion of this report  17.02.2005
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Maciejewski, R  Telephone No. +49 89 2399-6970  

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EXAMINATION REPORT**

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**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-14 as originally filed

**Claims, Numbers**

1-20 received on 20.01.2005 with letter of 17.01.2005

**Drawings, Sheets**

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	1-20
	No: Claims	
Inventive step (IS)	Yes: Claims	1-20
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

**see separate sheet**

**VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement**

References are made to the following documents:

- D1: WO 02/39600 A (RESEARCH IN MOTION LTD) 16 May 2002 (2002-05-16)
- D2: GB-A-2 277 422 (UNIVERSAL EXCHANGE LIMITED) 26 October 1994 (1994-10-26)
- D3: WO 01/08386 A (CENTRAL RESEARCH LAB LTD) 1 February 2001 (2001-02-01)

1. The present application concerns a headset system (claim 1) as well as a headset carrying device (claim 14). The headset system comprises a headset with a power supply, wirelessly connected to a communication terminal and the headset carrying device including a charger.
2. A similar arrangement according document D1 (see in particular figures 14-16) discloses a communication terminal (mobile phone) with a headset for wireless communication, wherein the headset is directly connectible to the terminal for charging, using its own battery as a power source.  
System of D2 (see in particular figures 1 and 2) involves three elements: a headset, a base station as a headset carrying device and a terminal. However, the system is more complex because involves transmission from headset to the base station, and further from base station to the terminal. Charging of the headset is delivered either from the battery of the terminal or from the charger of the base station.
3. These systems present however the drawbacks, that the headsets use the power of the communication terminals to which they are connected or are charged from any base station to which additional connection has to be established.

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4. The claimed headset system solves the general problem of heavy or bulky batteries in the headsets by using the headset carrying device placed separate both physically and communicatively from the terminal and comprising in addition to a charger a built-in power supply unit which can charge the battery of the headset without any external power.
5. This idea is not derivable in D1, neither per se nor in combination with the rest of the available documents. The headset system of claim 1 and the headset carrying device of claim 14 are thus considered as new and inventive and therefore independent. claims 1 and 14 meet the requirement for novelty and inventive step (Articles 33(1)-(3) PCT).
6. Claims 2-13 and 15-20 are dependent on claims 1 and 14, respectively and thus also meet the requirements for novelty and inventive step (Articles 33(1)-(3) PCT), however they would have required amendments to overcome the objection set out in Item VIII of this report.

**Re Item VII**

**Certain defects in the international application**

1. The requirements of Rule 5.1(a)(ii) PCT are not fulfilled, as the relevant prior art of documents D1-D3 is not identified in the description and the relevant background art disclosed therein briefly discussed.
2. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

**Re Item VIII**

**Certain observations on the international application**

1. The current wording of claims 5, 6, 11 and 20 is not clear, because it is not mentioned which of the power supplies (first or second power supply) is meant.

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2. The area defined by claim 16 is not clear (Article 6 PCT) because the feature "...casing is transformable into a desktop mode..." is described in terms of result to be achieved rather than structural terms.
3. Although, during the examination it was assumed that the capacity of second power supply is much larger than the capacity of the first one, relative terms "large-capacity capacitor" used in dependent claims 6 and 8 have no well recognised meaning and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of the claims 6 and 8 unclear (Article 6 PCT; Guidelines PCT/GL/ISPE/1 5.38).